

January 18, 1999

Mr. Gary Smith
Attorney At Law
City of Lone Oak
P.O. Box 22
Greenville, Texas 75403



OFFICE OF THE
ATTORNEY GENERAL
STATE OF TEXAS

— * —

JOHN CORNYN
Attorney General

— * —

P.O. Box 12548
Austin, Texas
78711-2548

(512) 463-2100
www.oag.state.tx.us

OR99-0116

Dear Mr. Smith:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 121141.

The City of Lone Oak, which you represent, received a request for the Police Chief's employment contract. You indicate that you have released the contract except for information which you believe is excepted from required public disclosure by section 552.117 of the Government Code. We have considered the exception you claim and have reviewed the information at issue.

Section 552.117 of the Government Code provides that information may be withheld if it is:

information that relates to the home address, home telephone number, social security number, or that reveals whether the following person has family members:

* * * *

(2) a peace officer as defined by Article 2.12, Code of Criminal Procedure, or a security officer commissioned under Section 51.212, Education Code.

You assert that the Police Chief is a peace officer as defined by article 2.12 of the Code of Criminal Procedure. Consequently you must withhold the officer's home address, home telephone number, social security number, and information that reveals whether the officer has family members. Open Records Decision Nos. 532 (1989), 530 (1989). You may withhold the information you have marked on the requested contract.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,

A handwritten signature in black ink, appearing to read "Don Ballard". The signature is fluid and cursive, with the first name "Don" and last name "Ballard" clearly distinguishable.

Don Ballard
Assistant Attorney General
Open Records Division

JDB\nc

Ref: ID# 121141

Enclosures: Submitted documents

cc: Ms. Dorothy Miller
3581 County Road 3216
Lone Oak, Texas 75453
(w/o enclosures)